

**United States Bankruptcy Court**  
**Northern District of California**

In re **Michael Richard Kimball,  
Elizabeth Jean Kimball**

Debtors

Case No. **09-56859**

Chapter **7**

**SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	<b>Yes</b>	<b>1</b>	<b>6,025,000.00</b>		
B - Personal Property	<b>Yes</b>	<b>4</b>	<b>219,200.00</b>		
C - Property Claimed as Exempt	<b>Yes</b>	<b>2</b>			
D - Creditors Holding Secured Claims	<b>Yes</b>	<b>3</b>		<b>5,541,349.20</b>	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	<b>Yes</b>	<b>1</b>		<b>0.00</b>	
F - Creditors Holding Unsecured Nonpriority Claims	<b>Yes</b>	<b>19</b>		<b>718,456.12</b>	
G - Executory Contracts and Unexpired Leases	<b>Yes</b>	<b>1</b>			
H - Codebtors	<b>Yes</b>	<b>1</b>			
I - Current Income of Individual Debtor(s)	<b>Yes</b>	<b>1</b>			<b>5,509.66</b>
J - Current Expenditures of Individual Debtor(s)	<b>Yes</b>	<b>2</b>			<b>9,427.00</b>
Total Number of Sheets of ALL Schedules		<b>35</b>			
Total Assets			<b>6,244,200.00</b>		
Total Liabilities				<b>6,259,805.32</b>	

**United States Bankruptcy Court**  
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In re **Michael Richard Kimball,  
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Debtors

Case No. **09-56859**

Chapter **7**

**STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)**

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

- ☐ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

**This information is for statistical purposes only under 28 U.S.C. § 159.**

**Summarize the following types of liabilities, as reported in the Schedules, and total them.**

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	<b>0.00</b>
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	<b>0.00</b>
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	<b>0.00</b>
Student Loan Obligations (from Schedule F)	<b>0.00</b>
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	<b>0.00</b>
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	<b>0.00</b>
TOTAL	<b>0.00</b>

**State the following:**

Average Income (from Schedule I, Line 16)	<b>5,509.66</b>
Average Expenses (from Schedule J, Line 18)	<b>9,427.00</b>
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20 )	<b>6,000.00</b>

**State the following:**

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column		<b>1,568,144.20</b>
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	<b>0.00</b>	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		<b>0.00</b>
4. Total from Schedule F		<b>718,456.12</b>
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		<b>2,286,600.32</b>

In re **Michael Richard Kimball,  
Elizabeth Jean Kimball**Case No. **09-56859**

Debtors

**SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

**Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.**

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim." If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption	Amount of Secured Claim
<b>Personal Residence</b> <b>1198 Roycott Way</b> <b>San Jose Ca, 95125</b>		<b>J</b>	<b>1,200,000.00</b>	<b>563,000.00</b>
<b>Rental Property</b> <b>10220 Johnson ave.</b> <b>Cupertino, Ca 95014</b>		<b>J</b>	<b>325,000.00</b>	<b>410,205.00</b>
<b>Mixed Use Commercial and Residential Property</b> <b>91, 93, 95, 97 E. Santa Clara Street and 19 N. 3rd Street</b>		<b>-</b>	<b>3,000,000.00</b>	<b>3,555,000.00</b>
<b>Commercial Building</b> <b>152 Post Street</b> <b>San Jose, California 95113</b>		<b>-</b>	<b>1,500,000.00</b>	<b>0.00</b>

Sub-Total > **6,025,000.00** (Total of this page)Total > **6,025,000.00**0 continuation sheets attached to the Schedule of Real Property

(Report also on Summary of Schedules)

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In re **Michael Richard Kimball,  
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Debtors

**SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

**Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.**

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112 and Fed. R. Bankr. P. 1007(m).

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
1. Cash on hand		<b>Cash: cash</b>	<b>J</b>	<b>200.00</b>
		<b>Cash: checks to be cashed</b>	<b>J</b>	<b>1,100.00</b>
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		<b>Bank Account: in checking</b>	<b>J</b>	<b>7,300.00</b>
3. Security deposits with public utilities, telephone companies, landlords, and others.	<b>X</b>			
4. Household goods and furnishings, including audio, video, and computer equipment.		<b>Household: food, odds and ends</b>	<b>J</b>	<b>500.00</b>
		<b>Furniture: couches, chairs, tables, dressers, beds,</b>	<b>J</b>	<b>1,500.00</b>
		<b>Appliances: washer/dryer, refrigerator</b>	<b>J</b>	<b>700.00</b>
		<b>Audio-Video: receiver, dvd/cd player, camera, tv</b>	<b>J</b>	<b>750.00</b>
		<b>Office: computer, monitor, printer</b>	<b>J</b>	<b>300.00</b>
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		<b>Collectibles: odd furniture</b>	<b>J</b>	<b>300.00</b>
		<b>Books-Music: cd's, lps.</b>	<b>J</b>	<b>200.00</b>
6. Wearing apparel.		<b>Clothes: clothes and shoes</b>	<b>J</b>	<b>300.00</b>
7. Furs and jewelry.		<b>Jewelry: odd jewelry</b>	<b>J</b>	<b>200.00</b>
		<b>Wedding Ring: both rings</b>	<b>J</b>	<b>500.00</b>
8. Firearms and sports, photographic, and other hobby equipment.		<b>Sports-Hobby: odd sports equipment</b>	<b>J</b>	<b>100.00</b>
		<b>Trade Tools: home use tools, table saw, chop saw,</b>	<b>J</b>	<b>750.00</b>
Sub-Total > (Total of this page)				<b>14,700.00</b>

3 continuation sheets attached to the Schedule of Personal Property

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Debtors

**SCHEDULE B - PERSONAL PROPERTY**  
(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	<b>X</b>			
10. Annuities. Itemize and name each issuer.	<b>X</b>			
11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	<b>X</b>			
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.		<b>Retirement: IRA Location: T.RowePrice</b>	<b>H</b>	<b>32,000.00</b>
		<b>Retirement: IRA Location: DWS Investments</b>	<b>J</b>	<b>55,000.00</b>
		<b>Retirement: IRA's Location: UBS Financial</b>	<b>J</b>	<b>58,000.00</b>
		<b>Retirement: IRA Location: Transamerica</b>	<b>J</b>	<b>46,000.00</b>
13. Stock and interests in incorporated and unincorporated businesses. Itemize.	<b>X</b>			
14. Interests in partnerships or joint ventures. Itemize.	<b>X</b>			
15. Government and corporate bonds and other negotiable and nonnegotiable instruments.	<b>X</b>			
16. Accounts receivable.	<b>X</b>			
17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	<b>X</b>			
18. Other liquidated debts owed to debtor including tax refunds. Give particulars.	<b>X</b>			

Sub-Total > **191,000.00**  
(Total of this page)

Sheet **1** of **3** continuation sheets attached  
to the Schedule of Personal Property

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**SCHEDULE B - PERSONAL PROPERTY**  
(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	<b>X</b>			
20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	<b>X</b>			
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	<b>X</b>			
22. Patents, copyrights, and other intellectual property. Give particulars.	<b>X</b>			
23. Licenses, franchises, and other general intangibles. Give particulars.	<b>X</b>			
24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	<b>X</b>			
25. Automobiles, trucks, trailers, and other vehicles and accessories.		<b>Auto: 2001 bmw 528, fair condition,75,000</b>	<b>J</b>	<b>6,000.00</b>
		<b>Auto: 2001 GMC Yukon Denali, Fair condition, 6800mls</b>	<b>J</b>	<b>7,500.00</b>
26. Boats, motors, and accessories.	<b>X</b>			
27. Aircraft and accessories.	<b>X</b>			
28. Office equipment, furnishings, and supplies.	<b>X</b>			
29. Machinery, fixtures, equipment, and supplies used in business.	<b>X</b>			
30. Inventory.	<b>X</b>			

Sub-Total > **13,500.00**  
(Total of this page)

Sheet **2** of **3** continuation sheets attached  
to the Schedule of Personal Property

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In re     **Michael Richard Kimball,  
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Case No.     **09-56859**

Debtors

**SCHEDULE B - PERSONAL PROPERTY**  
(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
31. Animals.	X			
32. Crops - growing or harvested. Give particulars.	X			
33. Farming equipment and implements.	X			
34. Farm supplies, chemicals, and feed.	X			
35. Other personal property of any kind not already listed. Itemize.	X			

Sub-Total >     **0.00**

(Total of this page)

Total >     **219,200.00**

In re **Michael Richard Kimball,  
Elizabeth Jean Kimball**

Case No. **09-56859**

Debtors

## SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor claims the exemptions to which debtor is entitled under:  
(Check one box)

- ☐ 11 U.S.C. §522(b)(2)  
☒ 11 U.S.C. §522(b)(3)

☐ Check if debtor claims a homestead exemption that exceeds \$136,875.

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
<b><u>Cash on Hand</u></b>			
Cash: cash	C.C.P. § 703.140(b)(5)	200.00	200.00
Cash: checks to be cashed	C.C.P. § 703.140(b)(5)	1,100.00	1,100.00
<b><u>Household Goods and Furnishings</u></b>			
Household: food, odds and ends	C.C.P. § 703.140(b)(3)	500.00	500.00
Furniture: couches, chairs, tables, dressers, beds,	C.C.P. § 703.140(b)(3)	1,500.00	1,500.00
Appliances: washer/dryer, refrigerator	C.C.P. § 703.140(b)(3)	700.00	700.00
Audio-Video: receiver, dvd/cd player, camera, tv	C.C.P. § 703.140(b)(3)	750.00	750.00
Office: computer, monitor, printer	C.C.P. § 703.140(b)(3)	300.00	300.00
<b><u>Books, Pictures and Other Art Objects; Collectibles</u></b>			
Collectibles: odd furniture	C.C.P. § 703.140(b)(5)	300.00	300.00
Books-Music: cd's, lps.	C.C.P. § 703.140(b)(5)	200.00	200.00
<b><u>Wearing Apparel</u></b>			
Clothes: clothes and shoes	C.C.P. § 703.140(b)(3)	300.00	300.00
<b><u>Furs and Jewelry</u></b>			
Jewelry: odd jewelry	C.C.P. § 703.140(b)(4)	200.00	200.00
Wedding Ring: both rings	C.C.P. § 703.140(b)(4)	500.00	500.00
<b><u>Firearms and Sports, Photographic and Other Hobby Equipment</u></b>			
Sports-Hobby: odd sports equipment	C.C.P. § 703.140(b)(5)	100.00	100.00
Trade Tools: home use tools, table saw, chop saw,	C.C.P. § 703.140(b)(5)	750.00	750.00
<b><u>Interests in IRA, ERISA, Keogh, or Other Pension or Profit Sharing Plans</u></b>			
Retirement: IRA Location: T.RowePrice	C.C.P. § 703.140(b)(10)(E)	32,000.00	32,000.00
Retirement: IRA Location: DWS Investments	C.C.P. § 703.140(b)(10)(E)	55,000.00	55,000.00
Retirement: IRA's Location: UBS Financial	C.C.P. § 703.140(b)(10)(E)	58,000.00	58,000.00
Retirement: IRA Location: Transamerica	C.C.P. § 703.140(b)(10)(E)	46,000.00	46,000.00



In re     **Michael Richard Kimball,  
Elizabeth Jean Kimball**

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Debtors

**SCHEDULE C - PROPERTY CLAIMED AS EXEMPT**  
(Continuation Sheet)

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
<b><u>Automobiles, Trucks, Trailers, and Other Vehicles</u></b>			
<b>Auto: 2001 bmw 528, fair condition,75,000</b>	<b>C.C.P. § 703.140(b)(2)</b>	<b>3,300.00</b>	<b>6,000.00</b>
	<b>C.C.P. § 703.140(b)(5)</b>	<b>2,700.00</b>	
<b>Auto: 2001 GMC Yukon Denali, Fair condition, 6800mls</b>	<b>C.C.P. § 703.140(b)(2)</b>	<b>0.00</b>	<b>7,500.00</b>

In re **Michael Richard Kimball,  
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Debtors

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	H U S B A N D  W I F E  J O I N T  C O M M U N I T Y	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. <b>XXXXXX4099</b>			<b>Open 1/2009 Last Reported 7/31/2009</b>					
<b>Bank of America</b> <b>4161 Piedmont Pkwy</b> <b>PO Box 9000</b> <b>Greensboro, NC 27410</b>		<b>J</b>	<b>Home Equity Loan</b>  <b>Personal Residence</b> <b>1198 Roycott Way</b> <b>San Jose Ca, 95125</b>					
			Value \$ <b>1,200,000.00</b>				<b>48,000.00</b>	<b>0.00</b>
Account No. <b>6345425588</b>			<b>opened 12/2007 last reported 8/5/2009</b>					
<b>Bank of America</b> <b>475 Crosspoint Pkwy</b> <b>Getzville, NY 14068</b>		<b>C</b>	<b>Rental Property</b> <b>10220 Johnson ave.</b> <b>Cupertino, Ca 95014</b>					
			Value \$ <b>650,000.00</b>				<b>410,205.00</b>	<b>0.00</b>
Account No. <b>7000024281</b>			<b>Home Mortgage 1st Primary residence.</b> <b>Interest only.</b>					
<b>Carrington Mortgage Services</b> <b>P.O. Box 54285</b> <b>Irvine, CA 92619</b>		<b>J</b>						
			Value \$ <b>0.00</b>				<b>1,000,000.00</b>	<b>1,000,000.00</b>
Account No.			<b>UCC Filing</b>					
<b>Comerica</b> <b>48 Commercial Bank</b> <b>P.O. Box 650282</b> <b>Dallas, TX 75265</b>		<b>C</b>	<b>Mixed Use Commercial and Residential</b> <b>Property</b> <b>91, 93, 95, 97 E. Santa Clara Street and</b> <b>19 N. 3rd Street</b>					
			Value \$ <b>3,000,000.00</b>				<b>364,000.00</b>	<b>364,000.00</b>
Subtotal (Total of this page)							<b>1,822,205.00</b>	<b>1,364,000.00</b>

2 continuation sheets attached

In re **Michael Richard Kimball,  
Elizabeth Jean Kimball**Case No. **09-56859**

Debtors

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B O R R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
		H W J C					
Account No.	C	<b>Mixed Use Commercial and Residential Property</b> <b>91, 93, 95, 97 E. Santa Clara Street and 19 N. 3rd Street</b>				<b>1,356,000.00</b>	<b>191,000.00</b>
<b>Community Reinvestment Fund c/o Community Capital Associates 1801 Oakland Blvd., Suite 100 Walnut Creek, CA 94596</b>							
Value \$			<b>3,000,000.00</b>				
Account No.	H	<b>Other Loan</b>  <b>Personal Residence</b> <b>1198 Roycott Way San Jose Ca, 95125</b>				<b>500,000.00</b>	<b>0.00</b>
<b>Daniel McIntosh 6897 Highland Road Granite Bay, CA 95746</b>							
Value \$			<b>1,200,000.00</b>				
Account No.	C	<b>Mixed Use Commercial and Residential Property</b> <b>91, 93, 95, 97 E. Santa Clara Street and 19 N. 3rd Street</b>				<b>260,000.00</b>	<b>0.00</b>
<b>Jeff C. Starbeck 787 East San Antonio Street San Jose, CA 95112</b>							
Value \$			<b>3,000,000.00</b>				
Account No.	J	<b>Personal Residence</b> <b>1198 Roycott Way San Jose Ca, 95125</b>				<b>15,000.00</b>	<b>0.00</b>
<b>Santa Clara County Tax Collector 70 West Hedding Street East Wing, 6th Floor San Jose, CA 95110</b>							
Value \$			<b>1,200,000.00</b>				
Account No.	-	<b>For Smoke Tiki</b>				<b>13,144.20</b>	<b>13,144.20</b>
<b>Santa Clara County Tax Collector 70 West Hedding Street East Wing, 6th Floor San Jose, CA 95110</b>							
Value \$			<b>0.00</b>				
Subtotal (Total of this page)						<b>2,144,144.20</b>	<b>204,144.20</b>

Sheet 1 of 2 continuation sheets attached to  
Schedule of Creditors Holding Secured Claims

Sheet **1** of **2** continuation sheets attached to  
Schedule of Creditors Holding Secured Claims

In re **Michael Richard Kimball,  
Elizabeth Jean Kimball**Case No. **09-56859**

Debtors

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B O R R	H W J C	Husband, Wife, Joint, or Community  DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. <b>1126628-9001</b>  <b>Zions Bank</b> <b>One South Main Street 31400</b> <b>Salt Lake City, UT 84133</b>		<b>H</b>	<b>Mixed Use Commercial and Residential Property</b> <b>91, 93, 95, 97 E. Santa Clara Street and</b> <b>19 N. 3rd Street</b>				<b>1,575,000.00</b>	<b>0.00</b>
Account No.			Value \$					
Account No.			Value \$					
Account No.			Value \$					
Account No.			Value \$					
Sheet <b>2</b> of <b>2</b> continuation sheets attached to Schedule of Creditors Holding Secured Claims			Subtotal (Total of this page)				<b>1,575,000.00</b>	<b>0.00</b>
			Total (Report on Summary of Schedules)				<b>5,541,349.20</b>	<b>1,568,144.20</b>

In re **Michael Richard Kimball,  
Elizabeth Jean Kimball**

Case No. **09-56859**

Debtors

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☒ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

**TYPES OF PRIORITY CLAIMS** (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

☐ **Domestic support obligations**

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).

☐ **Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).

☐ **Wages, salaries, and commissions**

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950\* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

☐ **Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

☐ **Certain farmers and fishermen**

Claims of certain farmers and fishermen, up to \$5,400\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

☐ **Deposits by individuals**

Claims of individuals up to \$2,425\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).

☐ **Taxes and certain other debts owed to governmental units**

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

☐ **Commitments to maintain the capital of an insured depository institution**

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).

☐ **Claims for death or personal injury while debtor was intoxicated**

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\* Amounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

In re **Michael Richard Kimball,  
Elizabeth Jean Kimball**Case No. **09-56859**

Debtors

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	H U S B A N D, W I F E, J O I N T, O R C O M M U N I T Y	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
Account No. 498		-	For Mission Ale House				750.00
ACCUBAR- G4 Technologies 7000 South Potomac Street, Suite 150 Centennial, CO 80112							
Account No. 910		-	For Smoke Tiki				750.00
ACCUBAR- G4 Technologies 7000 South Potomac Street, Suite 150 Centennial, CO 80112							
Account No. 16-011-0507985-7		-	For Mission Ale House				6,132.64
AICCO Inc. Department 7615 Los Angeles, CA 90084							
Account No. ADY74		-	For Mission Ale House				1,279.68
Airgas NCN P.O. Box 7425 Pasadena, CA 91109							
Subtotal (Total of this page)							8,912.32

18

continuation sheets attached

18 continuation sheets attached

In re **Michael Richard Kimball,  
Elizabeth Jean Kimball**

Case No. **09-56859**

Debtors

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	H W J C	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
			DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No. <b>WFG77</b>			<b>For Smoke Tiki</b>				
<b>Airgas NCN P.O. Box 7425 Pasadena, CA 91109</b>		-					
							<b>1,279.68</b>
Account No. <b>1-01531923192</b>			<b>For Mission Ale House</b>				
<b>Allied Waste Services #915 P.O. Box 78829 Phoenix, AZ 85062</b>		-					
							<b>1,690.90</b>
Account No. <b>3-0915-2136158</b>			<b>For Smoke Tiki</b>				
<b>Allied Waste Services #915 P.O. Box 78829 Phoenix, AZ 85062</b>		-					
							<b>1,690.90</b>
Account No. <b>15994001</b>			<b>For Mission Ale House</b>				
<b>AraMark P.O. Box 28383 San Jose, CA 95159</b>		-					
							<b>342.00</b>
Account No. <b>Smoke Tiki</b>			<b>For Smoke Tiki</b>				
<b>AraMark P.O. Box 28383 San Jose, CA 95159</b>		-					
							<b>342.00</b>
Sheet no. <u>1</u> of <u>18</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims							
Subtotal (Total of this page)							<b>5,345.48</b>

In re **Michael Richard Kimball,  
Elizabeth Jean Kimball**Case No. **09-56859**

Debtors

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No. <b>4339-9300-0375-8960</b>  <b>Bank of America</b> <b>P.O. Box 15726</b> <b>Wilmington, DE 19886</b>	<b>C</b>	<b>Business Card</b>				<b>24,917.93</b>
Account No. <b>68241000199799</b>  <b>Bank of America cc</b> <b>101 North Tryon St. NC1-001-07-06</b> <b>Charlotte, NC 28255-0001</b>	<b>J</b>	<b>Personal Guarantee for corp.</b>				<b>65,000.00</b>
Account No. <b>4264 2940 7114 8367</b>  <b>Bank of America cc</b> <b>PO Box 851001</b> <b>Dallas, TX 75285-1001</b>	<b>J</b>	<b>Other Loan Credit card</b>				<b>15,700.00</b>
Account No. <b>6824 1000 199799</b>  <b>Bank of America N.A.</b> <b>P.O. Box 30750</b> <b>Los Angeles, CA 90030</b>	<b>C</b>	<b>Line of Credit</b>				<b>1,544.49</b>
Account No. <b>Tiki</b>  <b>Bassian Farms Inc</b> <b>P.O. Box 26527</b> <b>San Jose, CA 95159</b>	<b>-</b>	<b>For Smoke Tiki</b>				<b>622.44</b>
Sheet no. <b>2</b> of <b>18</b> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page) <b>107,784.86</b>



In re **Michael Richard Kimball,  
Elizabeth Jean Kimball**Case No. **09-56859**

Debtors

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C				
Account No. <b>MAHS</b>						
<b>Bassian Farms Inc P.O. Box 26527 San Jose, CA 95159</b>		-				<b>622.44</b>
Account No. <b>7001 0632 3745 0509</b>						
<b>Best Buy Co., Inc cc HSBC/Best Buy Attn: Bankruptcy P.O. Box 6985 City Of Industry, CA 91716-0148</b>		J				<b>2,445.00</b>
Account No. <b>28060</b>						
<b>Bottomly Distributing Company 755 Yosemite Drive Milpitas, CA 95035</b>		-				<b>3,191.63</b>
Account No. <b>23385</b>						
<b>Bottomly Distributing Company 755 Yosemite Drive Milpitas, CA 95035</b>		-				<b>3,191.63</b>
Account No.						
<b>Brent Simor 3136 Roundhill Road Alamo, CA 94507</b>		-				<b>65,000.00</b>
Sheet no. <b>3</b> of <b>18</b> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						
Subtotal (Total of this page)						<b>74,450.70</b>

In re **Michael Richard Kimball,  
Elizabeth Jean Kimball**

Case No. **09-56859**

Debtors

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	Husband, Wife, Joint, or Community		C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No.	C						20,000.00
Brian P. Carney 2340 Ben Hur, Ct. San Jose, CA 95124							
Account No. 90533	-		For Smoke Tiki				180.10
Carbonic Service 1920 De La Cruz Blvd Santa Clara, CA 95050							
Account No. 0700502-1039	-		For Mission Ale House				400.00
Central Parking System of CA, Inc. 95 North Third Street San Jose, CA 95113							
Account No. 4286 8410 1486 3557	J		open 10/2004 last reported 8/4/2009 Credit Card				8,600.00
Chase-CC Attention- Bankruptcy Department P.O. Box 15298 Wilmington, DE 19850							
Account No. XXXXXXX4734	C		open 10/2003 last reported 8/14/2009 Credit Card				7,279.00
Chase-CC Attention: Bankruptcy Department P.O. Box 15298 Wilmington, DE 19850							
Sheet no. 4 of 18 sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims							Subtotal (Total of this page)
							36,459.10

In re **Michael Richard Kimball,  
Elizabeth Jean Kimball**

Case No. **09-56859**

Debtors

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C				
Account No. <b>5888 9631 0675 4610</b>	<b>J</b>	<b>open 12/2008 last reported 7/25/2009 Credit Card Expenses</b>				<b>279.00</b>
<b>Chase-Toysrus P.O Box 15298 Wilmington, DE 19850</b>						
Account No. <b>630-00913</b>	<b>-</b>	<b>For Mission Ale House</b>				<b>1,881.45</b>
<b>Cintas 904 Holloway Road Gilroy, CA 95020</b>						
Account No. <b>630-05150</b>	<b>-</b>	<b>For Smoke Tiki</b>				<b>1,881.45</b>
<b>Cintas 904 Holloway Road Gilroy, CA 95020</b>						
Account No.	<b>-</b>					
<b>City of San Jose 200 East Santa Clara, Fourth Floor San Jose, CA 95113</b>						
Account No.	<b>-</b>					
<b>Comerica Bank M. C. 6512-SBA P.O. Box 650282 Dallas, TX 75265</b>						
						<b>4,500.00</b>
Sheet no. <u>5</u> of <u>18</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						<b>8,749.30</b>
Subtotal (Total of this page)						

In re **Michael Richard Kimball,  
Elizabeth Jean Kimball**Case No. **09-56859**

Debtors

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	Husband, Wife, Joint, or Community		C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H	W				
Account No.							
<b>County of Santa Clara Health</b>	-						<b>5,411.36</b>
Account No. <b>DMD Properties</b>							
<b>Cupertino Capital Loans 15700 Winchester Blvd Los Gatos, CA 95030</b>	-						<b>26,224.00</b>
Account No. <b>35315</b>							
<b>DBI Beverage 630 Quinn Avenue San Jose, CA 95112</b>	-						<b>578.60</b>
Account No. <b>34829</b>							
<b>DBI Beverage 630 Quinn Avenue San Jose, CA 95112</b>	-						<b>857.60</b>
Account No. <b>02325689</b>							
<b>Direct TV P.O. Box 60036 Los Angeles, CA 90060</b>	-						<b>506.33</b>
Sheet no. <b>6</b> of <b>18</b> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims							
Subtotal (Total of this page)							<b>33,577.89</b>

In re **Michael Richard Kimball,  
Elizabeth Jean Kimball**Case No. **09-56859**

Debtors

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C				
Account No. <b>033741199</b>						
<b>Direct TV</b> <b>P.O. Box 60036</b> <b>Los Angeles, CA 90060</b>		-				<b>506.33</b>
Account No.						
<b>Donald M. Hughes Dist. Inc.</b> <b>2185 Old Middlefield Way</b> <b>Mountain View, CA 94043</b>		-				<b>414.70</b>
Account No. <b>Smoke 152 Post, Inc.</b>						
<b>Duplan Construction, Inc.</b> <b>390 Industrial Street</b> <b>Campbell, CA 95008</b>		-				<b>765.00</b>
Account No. <b>Mission Ale House, Inc.</b>						
<b>Duplan Construction, Inc.</b> <b>390 Industrial Street</b> <b>Campbell, CA 95008</b>		-				<b>765.00</b>
Account No.						
<b>EDD Mission Ale and Smoke Tiki</b> <b>San jose, CA 95113</b>		H				<b>100,000.00</b>
Sheet no. <u>7</u> of <u>18</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						
Subtotal (Total of this page)						<b>102,451.03</b>

In re **Michael Richard Kimball,  
Elizabeth Jean Kimball**Case No. **09-56859**

Debtors

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	H W J C	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
			DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No.							
<b>EyeSpy</b> 1153 Lincoln Avenue, Suite D San Jose, CA 95125		-					<b>1,218.21</b>
Account No.							
<b>Franchise Tax Board</b> P.O. Box 942867 Sacramento, CA 94267		-					<b>800.00</b>
Account No.							
<b>Franchise Tax Board</b> P.O. Box 942867 Sacramento, CA 94267		-					<b>800.00</b>
Account No. <b>Miss118</b>			<b>For Mission Ale House</b>				
<b>Frank-Lin Distillers Products LTD</b> P.O. Box 49049 San Jose, CA 95161		-					<b>3,024.10</b>
Account No. <b>F0624667</b>			<b>For Smoke Tiki</b>				
<b>Frank-Lin Distillers Products LTD</b> P.O. Box 49049 San Jose, CA 95161		-					<b>3,014.10</b>
Sheet no. <u>8</u> of <u>18</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims							
Subtotal (Total of this page)							<b>8,856.41</b>

In re **Michael Richard Kimball,  
Elizabeth Jean Kimball**Case No. **09-56859**

Debtors

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	H U S B A N D W I F E J O I N T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
			DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No.			<b>Mission Ale House</b>				<b>111.90</b>
<b>Hughes Distribiting 2185 Old Middlefield Way Mountain View, CA 94043</b>		-					
Account No.			<b>Smoke Tiki</b>				<b>111.90</b>
<b>Hughes Distribiting 2185 Old Middlefield Way Mountain View, CA 94043</b>		-					
Account No. <b>BR124</b>							<b>995.00</b>
<b>Ice Machine Rentals Pacific Evergreen Rentals LLC P.O. Box 55667 Hayward, CA 94545</b>		-					
Account No.							<b>428.69</b>
<b>Lince Beverage Equipment Co 704 Anacapa Lane Foster City, CA 94404</b>		-					
Account No.							<b>2,127.00</b>
<b>Locicero and Associates 1721 Guerneville Road, Suite 22 Santa Rosa, CA 95403</b>		-					
Sheet no. <b>9</b> of <b>18</b> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims							<b>3,774.49</b>
Subtotal (Total of this page)							

In re **Michael Richard Kimball,  
Elizabeth Jean Kimball**

Case No. **09-56859**

Debtors

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R R	Husband, Wife, Joint, or Community		C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No. <b>48613</b>			<b>Mission Ale House</b>				
<b>Metro Newspapers</b> <b>550 South First Street</b>		-					<b>4,149.90</b>
Account No. <b>1495065468-2</b>							
<b>PG&amp;E</b> <b>P.O. Box 997300</b> <b>Sacramento, CA 95899</b>		-					<b>6,130.57</b>
Account No. <b>149594780-9</b>			<b>Mission Ale House</b>				
<b>PG&amp;E</b> <b>P.O. Box 997300</b> <b>Sacramento, CA 95899</b>		-					<b>38.05</b>
Account No. <b>1797131689-2</b>			<b>Mission Ale House</b>				
<b>PG&amp;E</b> <b>P.O. Box 997300</b> <b>Sacramento, CA 95899</b>		-					<b>28.40</b>
Account No. <b>8381755159-7</b>			<b>Mission Ale House</b>				
<b>PG&amp;E</b> <b>P.O. Box 997300</b> <b>Sacramento, CA 95899</b>		-					<b>307.72</b>
Sheet no. <b>10</b> of <b>18</b> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims							
Subtotal (Total of this page)							<b>10,654.64</b>



In re **Michael Richard Kimball,  
Elizabeth Jean Kimball**

Case No. **09-56859**

Debtors

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community		C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No. <b>25133594780-9</b>							
<b>PG&amp;E</b> <b>P.O. Box 997300</b> <b>Sacramento, CA 95899</b>	-						<b>85.12</b>
Account No.							
<b>Pioneer Liquid Transaport</b> <b>251 East Empire Street</b> <b>San Jose, CA 95112</b>	-						<b>407.50</b>
Account No.							
<b>Puget Sound Leasing Co., Inc.</b> <b>P. O. Box 1295</b> <b>Issaquah, WA 98027</b>	-						<b>10,000.00</b>
Account No.							
<b>Rewards Network - Idine</b> <b>2 North Riverside Plaza, Suite 950</b> <b>Chicago, IL 60606</b>	-						<b>21,000.00</b>
Account No. <b>MISS00</b>							
<b>Roma Bakery</b> <b>P.O. Box 348</b> <b>San Jose, CA 95103</b>	-						<b>35.11</b>
Sheet no. <b>11</b> of <b>18</b> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims							
Subtotal (Total of this page)							<b>31,527.73</b>

In re **Michael Richard Kimball,  
Elizabeth Jean Kimball**

Case No. **09-56859**

Debtors

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community		C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H	W				
Account No. <b>1400857</b>							
<b>Roma Bakery P.O. Box 348 San Jose, CA 95103</b>	-						<b>35.11</b>
Account No. <b>Mission Ale House</b>							
<b>Saggan DeRollo 97 South Second Street San Jose, CA 95113</b>	-						<b>393.00</b>
Account No.							
<b>San Jose Downtown Association 28 North First Street # 1000 San Jose, CA 95113</b>	-						<b>2,825.00</b>
Account No. <b>500017</b>							
<b>San Jose Sharks Account Receivable/Svs&amp;E HP Pavilion 525 West Santa Clara San Jose, CA 95113</b>	-						<b>25,000.00</b>
Account No.							
<b>San Jose Tallow Company P.O. Box 610116 San Jose, CA 95161</b>	-						<b>27.50</b>
Sheet no. <b>12</b> of <b>18</b> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims							
Subtotal (Total of this page)							<b>28,280.61</b>

In re **Michael Richard Kimball,  
Elizabeth Jean Kimball**

Case No. **09-56859**

Debtors

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R R	H U S B A N D W I F E J O I N T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
			DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No.							
<b>San Jose Tallow Company</b> <b>P.O. Box 610116</b> <b>San Jose, CA 95161</b>		-					<b>27.50</b>
Account No. <b>783482-3</b>			<b>Mission Ale House</b>				
<b>San Jose Water Company</b> <b>110 West Taylor Street</b> <b>San Jose, CA 95110</b>		-					<b>282.77</b>
Account No.			<b>Mission Ale House</b>				
<b>SESAC</b> <b>55 Music Square East</b> <b>Nashville, TN 37203</b>		-					<b>286.20</b>
Account No.			<b>CPA bill</b>				
<b>Shae Labagh Dobberstein CPA</b> <b>505 Montgomery st. 5th floor</b> <b>San Francisco, CA 94111</b>		J					<b>1,500.00</b>
Account No. <b>Mission Ale House, Inc.</b>			<b>Mission Ale House</b>				
<b>Shea Labagh and Dobberstien</b> <b>505 Montgomery Street, Fifth Floor</b> <b>San Francisco, CA</b>		-					<b>5,899.20</b>
Sheet no. <b>13</b> of <b>18</b> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims							
Subtotal (Total of this page)							<b>7,995.67</b>

In re **Michael Richard Kimball,  
Elizabeth Jean Kimball**Case No. **09-56859**

Debtors

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No. <b>Smoke 152 Post, Inc.</b>		<b>Smoke Tiki</b>				
<b>Shea Labagh and Dobberstien 505 Montgomery Street, Fifth Floor San Francisco, CA</b>	-					<b>5,899.20</b>
Account No. <b>DMD Properties</b>		<b>DMD</b>				
<b>Shea Labagh and Dobberstien 505 Montgomery Street, Fifth Floor San Francisco, CA</b>	-					<b>5,899.20</b>
Account No. <b>Dan Doherty</b>		<b>Dan Doherty</b>				
<b>Shea Labagh and Dobberstien 505 Montgomery Street, Fifth Floor San Francisco, CA</b>	-					<b>5,899.20</b>
Account No. <b>22250</b>		<b>Mission Ale House</b>				
<b>Southern Wine &amp; Spirits of CA Dept 1915 P.O. Box 61000 San Francisco, CA 94161</b>	-					<b>11,668.99</b>
Account No. <b>3205734</b>						
<b>Southern Wine &amp; Spirits of CA Dept 1915 P.O. Box 61000 San Francisco, CA 94161</b>	-					<b>11,668.99</b>
Sheet no. <b>14</b> of <b>18</b> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						
Subtotal (Total of this page)						<b>41,035.58</b>

In re **Michael Richard Kimball,  
Elizabeth Jean Kimball**

Case No. **09-56859**

Debtors

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	H W J C	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
			DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No.							
<b>Spartan Sports Properties, LLC c/o Learfeld Communications, Inc. P.O. Box 1467 Jefferson City Jefferson City, MO 65102</b>		-					<b>3,000.00</b>
Account No.							
<b>Standard Parking 160 West Santa Clara, Ste 275 San Jose, CA 95113</b>		C					<b>400.00</b>
Account No. <b>SRGH 97-788479</b>			<b>For Mission Ale House</b>				
<b>State Board of Equalization State Board Payment</b>		-					<b>14,000.00</b>
Account No. <b>SRGH 100-662493</b>							
<b>State Board of Equalization State Board Payment</b>		-					<b>14,000.00</b>
Account No.							
<b>State Fund Insurance Company P.O. Box 9102 Pleasanton, CA 94566</b>		-					<b>300.00</b>
Sheet no. <b>15</b> of <b>18</b> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims							
Subtotal (Total of this page)							<b>31,700.00</b>

In re **Michael Richard Kimball,  
Elizabeth Jean Kimball**Case No. **09-56859**

Debtors

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM	
		H W J C					DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.
Account No. 00029064090	J	open 8/2006 last reported 8/21/2009 Credit Card				630.00	
Target cc P.O. Box 9475 Minneapolis, MN 55440							
Account No.	-					412.00	
The Hartford P.O. Box 2907 Hartford, CT 06104							
Account No. 13668223	-	Mission Ale House				1,393.15	
US Food Service File 30719 P.O. Box 60000 San Francisco, CA 94160							
Account No. 13668223	-	Smoke Tiki				1,393.15	
US Food Service File 30719 P.O. Box 60000 San Francisco, CA 94160							
Account No. 16701	H	Other Loan This is a loan on Smoke Tiki Business from a restaurant lending company; Advanced Restaurant Finance, LLC.				45,620.00	
Venture Bank. by Brian Born esq. Tunbull & Born, P.L.L.C. Commerce building 950 Pacific Ave., suite 1050 Tascoma, WA 98402-4505							
Sheet no. 16 of 18 sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page)	49,448.30

In re **Michael Richard Kimball,  
Elizabeth Jean Kimball**

Case No. **09-56859**

Debtors

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C				
Account No.						
<b>Webemertia.com</b>		-				<b>119.85</b>
Account No.						
<b>Wells Fargo P.O. Box 5058 Portland, OR 97208</b>		J				<b>1,300.00</b>
Account No. <b>5474-6488-0111-1438</b>						
<b>Wells Fargo P.O. Box 30086 Los Angeles, CA 90030</b>		C				<b>60,639.11</b>
Account No. <b>5490 8400 0724 8417</b>						
<b>Wells Fargo Card Services cc P.O. Box 5058 Portland, OR 97208</b>		J				<b>2,220.00</b>
Account No. <b>46310001</b>						
<b>Wells Fargo cc P.O. Box 60510 Los Angeles, CA 90060</b>		J				<b>29,000.00</b>
Sheet no. <u>17</u> of <u>18</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						
Subtotal (Total of this page)						<b>93,278.96</b>

In re **Michael Richard Kimball,  
Elizabeth Jean Kimball**

Case No. **09-56859**

Debtors

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No. <b>311356</b>		<b>Mission Ale House</b>				
<b>Wine Wharehouse 3463 Collins Avenue Richmond, CA 94806</b>	-					<b>1,612.74</b>
Account No. <b>106370</b>						
<b>Young's Market Company P.O. Box 30145 Los Angeles, CA 90030</b>	-					<b>9,134.00</b>
Account No.						
<b>Zions Bank Payment Attn.: Jarrod Simmons 1 South Main Street Salt Lake City, UT 84111</b>	-					<b>23,426.31</b>
Account No.						
Account No.						
Sheet no. <b>18</b> of <b>18</b> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						<b>34,173.05</b>
Subtotal (Total of this page)						
Total (Report on Summary of Schedules)						<b>718,456.12</b>



In re

Michael Richard Kimball,  
Elizabeth Jean Kimball

Case No. 09-56859

Debtors

SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser", "Agent", etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract	Description of Contract or Lease and Nature of Debtor's Interest. State whether lease is for nonresidential real property. State contract number of any government contract.
--	--

In re      **Michael Richard Kimball,  
Elizabeth Jean Kimball**

Case No.      **09-56859**

Debtors

SCHEDULE H - CODEBTORS

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

☒ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
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In re **Michael Richard Kimball**  
**Elizabeth Jean Kimball**

Case No. **09-56859**

Debtor(s)

**SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)**

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital Status:  <b>Married</b>	DEPENDENTS OF DEBTOR AND SPOUSE	
	RELATIONSHIP(S):	AGE(S):
	<b>Son</b> <b>Daughter</b> <b>Son</b>	<b>3</b> <b>7</b> <b>8</b>
<b>Employment:</b>	DEBTOR	SPOUSE
Occupation	<b>Facilities</b>	<b>Babysitting</b>
Name of Employer	<b>SC Anderson Group International</b>	<b>Self Employed</b>
How long employed	<b>1 month</b>	<b>3 months</b>
Address of Employer	<b>P.O. Box 80306</b> <b>Bakersfield, CA 93380</b>	<b>1198 Roycott Way</b> <b>San Jose, CA 95125</b>

INCOME: (Estimate of average or projected monthly income at time case filed)

1. Monthly gross wages, salary, and commissions (Prorate if not paid monthly)  
2. Estimate monthly overtime

DEBTOR	SPOUSE
\$ <b>5,416.67</b>	\$ <b>1,000.00</b>
\$ <b>0.00</b>	\$ <b>0.00</b>

## 3. SUBTOTAL

\$ <b>5,416.67</b>	\$ <b>1,000.00</b>
--------------------	--------------------

## 4. LESS PAYROLL DEDUCTIONS

- a. Payroll taxes and social security  
b. Insurance  
c. Union dues  
d. Other (Specify): \_\_\_\_\_

\$ <b>907.01</b>	\$ <b>0.00</b>
\$ <b>0.00</b>	\$ <b>0.00</b>
\$ <b>0.00</b>	\$ <b>0.00</b>
\$ <b>0.00</b>	\$ <b>0.00</b>
\$ <b>0.00</b>	\$ <b>0.00</b>

## 5. SUBTOTAL OF PAYROLL DEDUCTIONS

\$ <b>907.01</b>	\$ <b>0.00</b>
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## 6. TOTAL NET MONTHLY TAKE HOME PAY

\$ <b>4,509.66</b>	\$ <b>1,000.00</b>
--------------------	--------------------

7. Regular income from operation of business or profession or farm (Attach detailed statement)  
8. Income from real property  
9. Interest and dividends  
10. Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above  
11. Social security or government assistance (Specify): \_\_\_\_\_

\$ <b>0.00</b>	\$ <b>0.00</b>
\$ <b>0.00</b>	\$ <b>0.00</b>
\$ <b>0.00</b>	\$ <b>0.00</b>
\$ <b>0.00</b>	\$ <b>0.00</b>

12. Pension or retirement income  
13. Other monthly income (Specify): \_\_\_\_\_

\$ <b>0.00</b>	\$ <b>0.00</b>
\$ <b>0.00</b>	\$ <b>0.00</b>

## 14. SUBTOTAL OF LINES 7 THROUGH 13

\$ <b>0.00</b>	\$ <b>0.00</b>
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## 15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)

\$ <b>4,509.66</b>	\$ <b>1,000.00</b>
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## 16. COMBINED AVERAGE MONTHLY INCOME: (Combine column totals from line 15)

\$ <b>5,509.66</b>	
--------------------	--

(Report also on Summary of Schedules and, if applicable, on  
Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:

In re **Michael Richard Kimball**  
**Elizabeth Jean Kimball**

Debtor(s)

Case No. **09-56859****SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)**

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may differ from the deductions from income allowed on Form 22A or 22C.

☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

1. Rent or home mortgage payment (include lot rented for mobile home)	\$	<b>5,625.00</b>
a. Are real estate taxes included? Yes <u>    </u> No <u><b>X</b></u>		
b. Is property insurance included? Yes <u>    </u> No <u><b>X</b></u>		
2. Utilities:		
a. Electricity and heating fuel	\$	<b>150.00</b>
b. Water and sewer	\$	<b>40.00</b>
c. Telephone	\$	<b>160.00</b>
d. Other <u><b>See Detailed Expense Attachment</b></u>	\$	<b>185.00</b>
3. Home maintenance (repairs and upkeep)	\$	<b>0.00</b>
4. Food	\$	<b>800.00</b>
5. Clothing	\$	<b>50.00</b>
6. Laundry and dry cleaning	\$	<b>0.00</b>
7. Medical and dental expenses	\$	<b>150.00</b>
8. Transportation (not including car payments)	\$	<b>125.00</b>
9. Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	<b>100.00</b>
10. Charitable contributions	\$	<b>0.00</b>
11. Insurance (not deducted from wages or included in home mortgage payments)		
a. Homeowner's or renter's	\$	<b>132.00</b>
b. Life	\$	<b>60.00</b>
c. Health	\$	<b>500.00</b>
d. Auto	\$	<b>150.00</b>
e. Other <u>    </u>	\$	<b>0.00</b>
12. Taxes (not deducted from wages or included in home mortgage payments)		
(Specify) <u><b>Property Tax</b></u>	\$	<b>1,200.00</b>
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan)		
a. Auto	\$	<b>0.00</b>
b. Other <u>    </u>	\$	<b>0.00</b>
c. Other <u>    </u>	\$	<b>0.00</b>
14. Alimony, maintenance, and support paid to others	\$	<b>0.00</b>
15. Payments for support of additional dependents not living at your home	\$	<b>0.00</b>
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	<b>0.00</b>
17. Other <u>    </u>	\$	<b>0.00</b>
Other <u>    </u>	\$	<b>0.00</b>
18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)	\$	<b>9,427.00</b>
19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following the filing of this document:		
20. STATEMENT OF MONTHLY NET INCOME		
a. Average monthly income from Line 15 of Schedule I	\$	<b>5,509.66</b>
b. Average monthly expenses from Line 18 above	\$	<b>9,427.00</b>
c. Monthly net income (a. minus b.)	\$	<b>-3,917.34</b>

In re **Michael Richard Kimball**  
**Elizabeth Jean Kimball**Case No. **09-56859**

Debtor(s)

**SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)**  
**Detailed Expense Attachment****Other Utility Expenditures:**

<b>Cable TV</b>	\$	<b>125.00</b>
<b>Garbage</b>	\$	<b>60.00</b>
<b>Total Other Utility Expenditures</b>	\$	<b>185.00</b>

**United States Bankruptcy Court**  
**Northern District of California**

In re **Michael Richard Kimball**  
**Elizabeth Jean Kimball**

Debtor(s)

Case No. **09-56859**  
Chapter **7**

**DECLARATION CONCERNING DEBTOR'S SCHEDULES**

**DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 37 sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date **September 30, 2009**

Signature /s/ Michael Richard Kimball  
**Michael Richard Kimball**  
Debtor

Date **September 30, 2009**

Signature /s/ Elizabeth Jean Kimball  
**Elizabeth Jean Kimball**  
Joint Debtor

*Penalty for making a false statement or concealing property:* Fine of up to \$500,000 or imprisonment for up to 5 years or both.  
18 U.S.C. §§ 152 and 3571.

**United States Bankruptcy Court  
Northern District of California**

In re **Michael Richard Kimball  
Elizabeth Jean Kimball**

Debtor(s)

Case No. **09-56859**  
Chapter **7**

**STATEMENT OF FINANCIAL AFFAIRS**

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

*DEFINITIONS*

*"In business."* A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

*"Insider."* The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

**1. Income from employment or operation of business**

None  
☐

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE
<b>\$6,209.89</b>	<b>2009 YTD: Husband SC Anderson Group International</b>
<b>\$114,315.00</b>	<b>2008: Husband SC Anderson Group International</b>
<b>\$-75,734.00</b>	<b>2007: Husband Business Income</b>

## 2. Income other than from employment or operation of business

None ☒ State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE
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## 3. Payments to creditors

None ☐ *Complete a. or b., as appropriate, and c.*

a. *Individual or joint debtor(s) with primarily consumer debts.* List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS	AMOUNT PAID	AMOUNT STILL OWING
All Creditors have been paid up to now		\$0.00	\$0.00

None ☒ b. *Debtor whose debts are not primarily consumer debts:* List each payment or other transfer to any creditor made within **90 days** immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,475. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS/ TRANSFERS	AMOUNT PAID OR VALUE OF TRANSFERS	AMOUNT STILL OWING
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None ☒ c. *All debtors:* List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR	DATE OF PAYMENT	AMOUNT PAID	AMOUNT STILL OWING
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## 4. Suits and administrative proceedings, executions, garnishments and attachments

None ☐ a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT AND CASE NUMBER	NATURE OF PROCEEDING	COURT OR AGENCY AND LOCATION	STATUS OR DISPOSITION
Victor J. Paez, Jr. v. Smoke- 152 Post, a California Corporation Case No. 109CV146519	Civil	Superior Court of State of California	Pending
Creditors Trade Association, Inc., DBA Great Western Collection Bureau v. Mission Ale House, Et al. Case No. CGC-09-484477	Civil	Superior Court of California, San Francisco	Pending



- None ☐ b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED	DATE OF SEIZURE	DESCRIPTION AND VALUE OF PROPERTY
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#### 5. Repossessions, foreclosures and returns

- None ☐ List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR OR SELLER	DATE OF REPOSSESSION, FORECLOSURE SALE, TRANSFER OR RETURN	DESCRIPTION AND VALUE OF PROPERTY
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#### 6. Assignments and receiverships

- None ☐ a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF ASSIGNEE	DATE OF ASSIGNMENT	TERMS OF ASSIGNMENT OR SETTLEMENT
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- None ☐ b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CUSTODIAN	NAME AND LOCATION OF COURT CASE TITLE & NUMBER	DATE OF ORDER	DESCRIPTION AND VALUE OF PROPERTY
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#### 7. Gifts

- None ☐ List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION	RELATIONSHIP TO DEBTOR, IF ANY	DATE OF GIFT	DESCRIPTION AND VALUE OF GIFT
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#### 8. Losses

- None ☐ List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case**. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND VALUE OF PROPERTY	DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS	DATE OF LOSS
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### 9. Payments related to debt counseling or bankruptcy

- None ☐ List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of the petition in bankruptcy within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE	DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
<b>Parr Law Group, PC 1625 The Alameda Suite 101 San Jose, CA 95126</b>	<b>8/22/2009</b>	<b>\$2,299.00</b>
<b>Springboard Nonprofit Consumer Counselin 3505 N. Hart Avenue Rosemead, CA 91770</b>	<b>8/17/2009</b>	<b>\$50</b>

### 10. Other transfers

- None ☐ a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **two years** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE, RELATIONSHIP TO DEBTOR	DATE	DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED
<b>Alex</b>	<b>7/25/2009</b>	<b>1991 Porsche Value: 14500</b>
<b>None</b>		

- None ☒ b. List all property transferred by the debtor within **ten years** immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

NAME OF TRUST OR OTHER DEVICE	DATE(S) OF TRANSFER(S)	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY OR DEBTOR'S INTEREST IN PROPERTY

### 11. Closed financial accounts

- None ☒ List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF INSTITUTION	TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER, AND AMOUNT OF FINAL BALANCE	AMOUNT AND DATE OF SALE OR CLOSING

### 12. Safe deposit boxes

- None ☒ List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY	NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY	DESCRIPTION OF CONTENTS	DATE OF TRANSFER OR SURRENDER, IF ANY

**13. Setoffs**

- None ☐ List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATE OF SETOFF	AMOUNT OF SETOFF
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**14. Property held for another person**

- None ☐ List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER	DESCRIPTION AND VALUE OF PROPERTY	LOCATION OF PROPERTY
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**15. Prior address of debtor**

- None ☐ If the debtor has moved within **three years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

ADDRESS	NAME USED	DATES OF OCCUPANCY
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**16. Spouses and Former Spouses**

- None ☐ If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within **eight years** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

**17. Environmental Information.**

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law

- None ☐ a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

SITE NAME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW
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- None ☐ b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

SITE NAME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW
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- None ☐ c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NAME AND ADDRESS OF  
GOVERNMENTAL UNIT

DOCKET NUMBER

STATUS OR DISPOSITION

### 18 . Nature, location and name of business

- None ☐ a. *If the debtor is an individual*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

*If the debtor is a partnership*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within **six years** immediately preceding the commencement of this case.

*If the debtor is a corporation*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

	LAST FOUR DIGITS OF SOCIAL-SECURITY OR OTHER INDIVIDUAL TAXPAYER-I.D. NO. (ITIN)/ COMPLETE EIN	ADDRESS	NATURE OF BUSINESS	BEGINNING AND ENDING DATES
NAME				

- None ☐ b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

NAME	ADDRESS
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The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within **six years** immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor or self-employed in a trade, profession, or other activity, either full- or part-time.

*(An individual or joint debtor should complete this portion of the statement **only** if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)*

### 19. Books, records and financial statements

- None ☐ a. List all bookkeepers and accountants who within **two years** immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS	DATES SERVICES RENDERED
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- None ☐ b. List all firms or individuals who within the **two years** immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

NAME	ADDRESS	DATES SERVICES RENDERED
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- None ☐ c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NAME	ADDRESS
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- None ☐ d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within **two years** immediately preceding the commencement of this case.

NAME AND ADDRESS

DATE ISSUED

**20. Inventories**

- None ☐ a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

DATE OF INVENTORY

INVENTORY SUPERVISOR

DOLLAR AMOUNT OF INVENTORY  
(Specify cost, market or other basis)

- None ☐ b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

DATE OF INVENTORY

NAME AND ADDRESSES OF CUSTODIAN OF INVENTORY  
RECORDS**21 . Current Partners, Officers, Directors and Shareholders**

- None ☐ a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

NAME AND ADDRESS

NATURE OF INTEREST

PERCENTAGE OF INTEREST

- None ☐ b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.

NAME AND ADDRESS

TITLE

NATURE AND PERCENTAGE  
OF STOCK OWNERSHIP**22 . Former partners, officers, directors and shareholders**

- None ☐ a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case.

NAME

ADDRESS

DATE OF WITHDRAWAL

- None ☐ b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS

TITLE

DATE OF TERMINATION

**23 . Withdrawals from a partnership or distributions by a corporation**

- None ☐ If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during **one year** immediately preceding the commencement of this case.

NAME & ADDRESS  
OF RECIPIENT,  
RELATIONSHIP TO DEBTORDATE AND PURPOSE  
OF WITHDRAWALAMOUNT OF MONEY  
OR DESCRIPTION AND  
VALUE OF PROPERTY**24. Tax Consolidation Group.**

- None ☐ If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within **six years** immediately preceding the commencement of the case.

NAME OF PARENT CORPORATION

TAXPAYER IDENTIFICATION NUMBER (EIN)

**25. Pension Funds.**

None ☐ If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within **six years** immediately preceding the commencement of the case.

NAME OF PENSION FUND TAXPAYER IDENTIFICATION NUMBER (EIN)

**DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date September 30, 2009 Signature /s/ Michael Richard Kimball  
Michael Richard Kimball  
Debtor

Date September 30, 2009 Signature /s/ Elizabeth Jean Kimball  
Elizabeth Jean Kimball  
Joint Debtor

*Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571*

**United States Bankruptcy Court**  
**Northern District of California**

In re **Michael Richard Kimball**  
**Elizabeth Jean Kimball**

Debtor(s)

Case No. **09-56859**  
 Chapter **7**

**CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION**

**PART A** - Debts secured by property of the estate. (Part A must be fully completed for **EACH** debt which is secured by property of the estate. Attach additional pages if necessary.)

Property No. 1	
<b>Creditor's Name:</b> <b>Bank of America</b>	<b>Describe Property Securing Debt:</b> <b>Personal Residence</b> <b>1198 Roycott Way</b> <b>San Jose Ca, 95125</b>
Property will be (check one): <input type="checkbox"/> Surrendered <span style="margin-left: 200px;"><input checked="" type="checkbox"/> Retained</span>	
If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input checked="" type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain _____ (for example, avoid lien using 11 U.S.C. § 522(f)).	
Property is (check one): <input type="checkbox"/> Claimed as Exempt <span style="margin-left: 200px;"><input checked="" type="checkbox"/> Not claimed as exempt</span>	

Property No. 2	
<b>Creditor's Name:</b> <b>Bank of America</b>	<b>Describe Property Securing Debt:</b> <b>Rental Property</b> <b>10220 Johnson ave.</b> <b>Cupertino, Ca 95014</b>
Property will be (check one): <input type="checkbox"/> Surrendered <span style="margin-left: 200px;"><input checked="" type="checkbox"/> Retained</span>	
If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input checked="" type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain _____ (for example, avoid lien using 11 U.S.C. § 522(f)).	
Property is (check one): <input type="checkbox"/> Claimed as Exempt <span style="margin-left: 200px;"><input checked="" type="checkbox"/> Not claimed as exempt</span>	

Property No. 3	
<b>Creditor's Name:</b> <b>Carrington Mortgage Services</b>	<b>Describe Property Securing Debt:</b> <b>Home Mortgage 1st Primary residence. Interest only.</b>
Property will be (check one): <input type="checkbox"/> Surrendered <span style="margin-left: 200px;"><input checked="" type="checkbox"/> Retained</span>	
If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input checked="" type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain _____ (for example, avoid lien using 11 U.S.C. § 522(f)).	
Property is (check one): <input type="checkbox"/> Claimed as Exempt <span style="margin-left: 200px;"><input checked="" type="checkbox"/> Not claimed as exempt</span>	

Property No. 4	
<b>Creditor's Name:</b> <b>Comerica</b>	<b>Describe Property Securing Debt:</b> <b>Mixed Use Commercial and Residential Property 91, 93, 95, 97 E. Santa Clara Street and 19 N. 3rd Street</b>
Property will be (check one): <input checked="" type="checkbox"/> Surrendered <span style="margin-left: 200px;"><input type="checkbox"/> Retained</span>	
If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain _____ (for example, avoid lien using 11 U.S.C. § 522(f)).	
Property is (check one): <input type="checkbox"/> Claimed as Exempt <span style="margin-left: 200px;"><input checked="" type="checkbox"/> Not claimed as exempt</span>	

Property No. 5	
<b>Creditor's Name:</b> <b>Community Reinvestment Fund</b>	<b>Describe Property Securing Debt:</b> <b>Mixed Use Commercial and Residential Property 91, 93, 95, 97 E. Santa Clara Street and 19 N. 3rd Street</b>
Property will be (check one): <input checked="" type="checkbox"/> Surrendered <span style="margin-left: 200px;"><input type="checkbox"/> Retained</span>	
If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain _____ (for example, avoid lien using 11 U.S.C. § 522(f)).	
Property is (check one): <input type="checkbox"/> Claimed as Exempt <span style="margin-left: 200px;"><input checked="" type="checkbox"/> Not claimed as exempt</span>	



Property No. 6	
<b>Creditor's Name:</b> <b>Daniel McIntosh</b>	<b>Describe Property Securing Debt:</b> <b>Personal Residence</b> <b>1198 Roycott Way</b> <b>San Jose Ca, 95125</b>
Property will be (check one): <input checked="" type="checkbox"/> Surrendered <span style="margin-left: 200px;"><input type="checkbox"/> Retained</span>	
If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain _____ (for example, avoid lien using 11 U.S.C. § 522(f)).	
Property is (check one): <input type="checkbox"/> Claimed as Exempt <span style="margin-left: 200px;"><input checked="" type="checkbox"/> Not claimed as exempt</span>	

Property No. 7	
<b>Creditor's Name:</b> <b>Jeff C. Starbeck</b>	<b>Describe Property Securing Debt:</b> <b>Mixed Use Commercial and Residential Property</b> <b>91, 93, 95, 97 E. Santa Clara Street and 19 N. 3rd Street</b>
Property will be (check one): <input checked="" type="checkbox"/> Surrendered <span style="margin-left: 200px;"><input type="checkbox"/> Retained</span>	
If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain _____ (for example, avoid lien using 11 U.S.C. § 522(f)).	
Property is (check one): <input type="checkbox"/> Claimed as Exempt <span style="margin-left: 200px;"><input checked="" type="checkbox"/> Not claimed as exempt</span>	

Property No. 8	
<b>Creditor's Name:</b> <b>Santa Clara County Tax Collector</b>	<b>Describe Property Securing Debt:</b> <b>Personal Residence</b> <b>1198 Roycott Way</b> <b>San Jose Ca, 95125</b>
Property will be (check one): <input type="checkbox"/> Surrendered <span style="margin-left: 200px;"><input checked="" type="checkbox"/> Retained</span>	
If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input checked="" type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain _____ (for example, avoid lien using 11 U.S.C. § 522(f)).	
Property is (check one): <input type="checkbox"/> Claimed as Exempt <span style="margin-left: 200px;"><input checked="" type="checkbox"/> Not claimed as exempt</span>	

Property No. 9	
<b>Creditor's Name:</b> <b>Santa Clara County Tax Collector</b>	<b>Describe Property Securing Debt:</b> <b>For Smoke Tiki</b>
Property will be (check one): <input checked="" type="checkbox"/> Surrendered <input type="checkbox"/> Retained  If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain _____ (for example, avoid lien using 11 U.S.C. § 522(f)).  Property is (check one): <input type="checkbox"/> Claimed as Exempt <input checked="" type="checkbox"/> Not claimed as exempt	

Property No. 10	
<b>Creditor's Name:</b> <b>Zions Bank</b>	<b>Describe Property Securing Debt:</b> <b>Mixed Use Commercial and Residential Property</b> <b>91, 93, 95, 97 E. Santa Clara Street and 19 N. 3rd Street</b>
Property will be (check one): <input checked="" type="checkbox"/> Surrendered <input type="checkbox"/> Retained  If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain _____ (for example, avoid lien using 11 U.S.C. § 522(f)).  Property is (check one): <input type="checkbox"/> Claimed as Exempt <input checked="" type="checkbox"/> Not claimed as exempt	

**PART B** - Personal property subject to unexpired leases. (All three columns of Part B must be completed for each unexpired lease. Attach additional pages if necessary.)

Property No. 1		
<b>Lessor's Name:</b> <b>-NONE-</b>	<b>Describe Leased Property:</b>	Lease will be Assumed pursuant to 11 U.S.C. § 365(p)(2): <input type="checkbox"/> YES <input type="checkbox"/> NO

**I declare under penalty of perjury that the above indicates my intention as to any property of my estate securing a debt and/or personal property subject to an unexpired lease.**

Date September 30, 2009

Signature /s/ Michael Richard Kimball  
**Michael Richard Kimball**  
 Debtor

Date September 30, 2009

Signature /s/ Elizabeth Jean Kimball  
**Elizabeth Jean Kimball**  
 Joint Debtor

**United States Bankruptcy Court  
Northern District of California**

In re Michael Richard Kimball  
Elizabeth Jean Kimball

Debtor(s)

Case No. 09-56859

Chapter 7

**STATEMENT PURSUANT TO RULE 2016(B)**

The undersigned, pursuant to Rule 2016(b), Bankruptcy Rules, states that:

1. The undersigned is the attorney for the debtor(s) in this case.
2. The compensation paid or agreed to be paid by the debtor(s), to the undersigned is:
  - a) For legal services rendered or to be rendered in contemplation of and in connection with this case..... \$ 2,299.00
  - b) Prior to the filing of this statement, debtor(s) have paid..... \$ 2,299.00
  - c) The unpaid balance due and payable is..... \$ 0.00
3. \$ 299.00 of the filing fee in this case has been paid.
4. The Services rendered or to be rendered include the following:
  - a. Analysis of the financial situation, and rendering advice and assistance to the debtor(s) in determining whether to file a petition under title 11 of the United States Code.
  - b. Preparation and filing of the petition, schedules, statement of affairs and other documents required by the court.
  - c. Representation of the debtor(s) at the meeting of creditors.
5. The source of payments made by the debtor(s) to the undersigned was from earnings, wages and compensation for services performed, and
6. The source of payments to be made by the debtor(s) to the undersigned for the unpaid balance remaining, if any, will be from earnings, wages and compensation for services performed, and
7. The undersigned has received no transfer, assignment or pledge of property from debtor(s) except the following for the value stated:
8. The undersigned has not shared or agreed to share with any other entity, other than with members of undersigned's law firm, any compensation paid or to be paid except as follows:

Dated: September 30, 2009

Respectfully submitted,

/s/ Shawn R. Parr

Attorney for Debtor: **Shawn R. Parr 206616**  
**Parr Law Group, PC**  
**1625 The Alameda**  
**Suite 101**  
**San Jose, CA 95126**  
**408-267-4500 Fax: 408-267-4535**  
**shawn@parrlawgroup.com**

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

**NOTICE TO CONSUMER DEBTOR(S) UNDER § 342(b)  
OF THE BANKRUPTCY CODE**

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a **joint case** (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

### **1. Services Available from Credit Counseling Agencies**

**With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis.** The briefing must be given within 180 days **before** the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

**In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge.** The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

### **2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors**

#### **Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total Fee \$299)**

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

#### **Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)**

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments

over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

### **Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)**

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

### **Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)**

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

### **3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials**

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

#### **Certificate of Attorney**

I hereby certify that I delivered to the debtor this notice required by § 342(b) of the Bankruptcy Code.

**Shawn R. Parr 206616**

Printed Name of Attorney

Address:

**1625 The Alameda**

**Suite 101**

**San Jose, CA 95126**

**408-267-4500**

**shawn@parrlawgroup.com**

X **/s/ Shawn R. Parr**

Signature of Attorney

**September 30,  
2009**

Date

#### **Certificate of Debtor**

I (We), the debtor(s), affirm that I (we) have received and read this notice.

**Michael Richard Kimball**

**Elizabeth Jean Kimball**

Printed Name(s) of Debtor(s)

X **/s/ Michael Richard Kimball**

Signature of Debtor

**September 30,  
2009**

Date

Case No. (if known) **09-56859**

X **/s/ Elizabeth Jean Kimball**

Signature of Joint Debtor (if any)

**September 30,  
2009**

Date

**United States Bankruptcy Court  
Northern District of California**

In re **Michael Richard Kimball  
Elizabeth Jean Kimball**

Debtor(s)

Case No. **09-56859**  
Chapter **7**

**CREDITOR MATRIX COVER SHEET**

I declare that the attached Creditor Mailing Matrix, consisting of **3** sheets, contains the correct, complete and current names and addresses of all priority, secured and unsecured creditors listed in debtor's filing and that this matrix conforms with the Clerk's promulgated requirements.

Date: **September 30, 2009**

**/s/ Shawn R. Parr**

Signature of Attorney  
**Shawn R. Parr 206616**  
**Parr Law Group, PC**  
**1625 The Alameda**  
**Suite 101**  
**San Jose, CA 95126**  
**408-267-4500 Fax: 408-267-4535**